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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,367	11/26/2003	Weixin Xu	SVL920030119	6117
67711 7590 02/06/2008 MICHAEL BUCHENHORNER, P.A. 8540 SW 83RD STREET MIAMI, FL 33143			EXAMINER TRUONG, LECHI	
			ART UNIT 2194	PAPER NUMBER
			NOTIFICATION DATE 02/06/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

MICHAEL@BUCHENHORNER.COM  
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# Office Action Summary

Application No.

10/721,367

Applicant(s)

XU ET AL.

Examiner

LeChi Truong

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
LECHI TRUONG  
ART UNIT 2194  
NOV 23 2007

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-18 are presented for the examination

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mann et al (US. Patent 6,654,801 B2) in view of Bickle (US 20030114163 A1) in view of Chu et al (US. Patent 6,718,376 B1).

As to claim 1, Mann teaches the invention substantially as claimed including: activating an application program (start, stop and reconfigure the node 48 or service 54, col 9, ln 29-31), message (exception event, col 9, ln 35-45), a predetermined event (an abnormal condition within the corresponding node 56 or service/error, col 9, ln 35-45), the integration adapter (the control adapter 56 and the service adapter 52, col 9, ln 34-45), an further application (the subscribing NCC 62, col 9, ln 35-45), monitoring messaging between the application program and a further application for a predetermined event( col 6, ln 35-45), a trigger message( trigger remoter system administrator notification, col 10, ln 1-5), remote( col 6, ln 5-10), the predetermined event ( the level of error exception events( minor, recoverable, severe, critical or unrecoverable ,

col 10, ln 1-5), parameters associated with application ( error, warning, or information only, col 10, ln 1-5), generating a trigger message based on the predetermined event an predetermined process parameters associated with the application program(col 10, ln 1-10), an activation command( a reconfiguration event, col 10, ln 8-12/ start, stop and reconfiguration event, col 9, ln 29-34) an activation command based on the trigger message operable to activate the application program( col 10, ln 8-12, col 9, ln 29-34), a queue manager ( system administrator 68 can access remote NCC application 74 to send a reconfiguration event that can increase the queue size for that particular DHCP service, col 10, ln 9-14), the predetermined event occur( error exception events( minor, recoverable , severe, critical or unrecorable, col 10, ln 1-5/ error or failures, col 2, ln 13-15/a service has died, col 7, ln 45-50),notifying a queue manager when the predetermined event occurs( col 2, ln 12-16/col 7, ln 45-51/ col 10, ln 5-15), providing the queue manager with a process definition object having the predetermined process parameters, col 8, ln 13-23/ col 11, ln 15-25).

Mann does not teach if the integration broker detects loss of connectivity with the application, restarting application. However, Cavanaugh teaches if the integration broker detects loss of connectivity with the application, restarting application(a core framework layer which restarts a device or application upon failure and which also optionally notifies the user that a failure has occurred, para[0024], lm1-2/ The Domain Management subsystem is further configured to detect an application or device failure and to automatically restart the failed application or device in response, para[0027], ln 7-11/ the core framework layer including a Domain Management subsystem responsive to a device failure or an application failure and configured to restart the device or application in response, para[0031], ln 1-5/ It is a further

object of this invention to provide such a core framework layer which is platform independent, (i.e., operates on multiple embedded processors and with multiple RTOS and ORBs) and is written such that a compile option allows the software to do so, para[0017], ln 1-3).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Mann with Bickle to incorporate the feature of if the integration broker detects loss of connectivity with the application, restarting application because this prevents an application from attempting to use a device which is busy, off-line, or disabled resulting in inefficiency in the deployment of an application under these conditions.

Mann and Bickle do not explicitly teach generating command. However, Chu teaches generating command (initiates an automatic restart process, col 9, ln 42-45).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Mann, Bickle with Chu to incorporate the feature of generating command because this allows the system administrator to restart the failed of components by identifying the errors and failures created by the service component.

**As to claim 2**, Mann teaches an indication that a connection with and application adapter is lost, a message indicative of the application program entering a maintenance shutdown (col 7, ln 45-50).

**As to claim 3**, Mann teaches the queue manager generating the trigger message so as to include at least one of the parameters (col 7, ln 44-54/col 10, and ln 9-13). In additional, Chu teaches the queue manager generating the trigger message so as to include at least one of the parameter (col 8, ln 64-67 to col 9, ln 1-2).

**As to claim 4**, Mann teaches the application messaging is controlled by an integration broker based (col 5, ln 24-30), at least parameter from group of activation parameter of a time interval, a repeat activation number, and a type of activation, col 9, ln 30-32).

**As to claim 5**, Mann teaches an activation command from one of the group of a start command, a resume command, and a restart command (col 9, ln 27-34).

**As to claim 6**, Mann teaches the application parameters comprising one of the group a type of activation (col 10, ln 1-5), creating the process definition object based on at least one of the application parameters to generate the activation command (col 10, l 1-11).

**As to claim 7**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Mann teaches application activation tool (col 9, ln 28-34).

**As to claims 8-18**, they are apparatus claims of claims 1-6; therefore, they are rejected for the same reason as claims 1-6 above.

### **Response to the argument**

3. Applicant amendment filed on 11/23/2007 has been considered but they are not persuasive.

In the remarks, applicant argued in substance:

(1) “ Mann nor Chu teaches the integration addapter, remote”.

Examiner respectfully traversed Applicant' s remarks:

As to point (1), Mann teaches service addapter 32( col 7, ln 19-22), a network service provider who maintains a portion of the overall data communication network( col 3, 50-55).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomson, William can be reached on (571) 272 3718. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

January 31, 2008

A handwritten signature in black ink, appearing to read 'LeChi Truong', is written over a faint, rectangular stamp. The signature is fluid and cursive.